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Renee D. East

Date of signature and deposit - November 16, 2005

US PATENT & TRADEMARK
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joseph E. Foster) Group Art Unit: 3751
)
Serial No.: 10/631,191) Confirmation No.: 2189
)
Filed: 7/31/2003) Examiner: Huyen D. Le
)
For: Deformed O-Ring Face Seal For Pneumatic Valves) Attorney Docket: 2166-206(16507)
)

Mail Stop 16
Director of the USPTO
P.O. Box 1450
Alexandria, VA 22313-1450

ASSERTION OF SMALL ENTITY STATUS AND
REQUEST FOR REFUND

Honorable Sir:

Applicant, Ross Operating Valve Company, hereby claims small entity
status as of the filing date of the present application and continuing to the present.

A refund of the excess fee of \$250 is requested to deposit account 13-0005
from the \$500 large entity notice of appeal fee paid on November 7, 2005. This
request is being filed within three months of payment of the fee (37 CFR 1.28(a)).

Respectfully submitted,



Mark L. Mollon
Attorney for Applicant(s)
Reg. No. 31,123

Dated: November 16, 2005
MacMillan, Sobanski & Todd, LLC
One Maritime Plaza, Fourth Floor
720 Water Street
Toledo, Ohio 43604
(734) 542-0900
(734) 542-9569 (fax)

ATTENTION ATTENTION ATTENTION

Method of Refund:

☐ ACH/EFT

☐ Credit Card

☒ Deposit Account # 13-0005

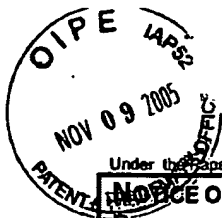
☐ Treasury Check

Patent/TM/App/Serial # 10/631,191

Program Area TechCenter 3751

Date Processed 12/8/2005

ATTENTION ATTENTION ATTENTION



AFR

PTO/SB/31 (08/03)

Approved for use through 07/31/2006 OMB 0651-0031
Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE

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**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number: 2168-208(16507)

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On November 7, 2005

Signature Renée D. East

Typed or
Printed name Renée D. East

Title: Deformed O-Ring Face Seal for Pneumatic Valves

Application No.: 10/631,191

Filed: 7/31/2003

For: Joseph E. Foster

Art Unit: 3751

Examiner: Huyen D. Le.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 13-0005. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.135(a) (PTO/SB/22) is enclosed.

Warning: Information on this form may become public. Credit card information should not be included in this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor

Mark L. Mollon
Signature

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

Mark L. Mollon
Typed or printed name

☒ attorney or agent of record.

Registration Number 31,123

734-542-0900
Telephone number

☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a): _____

November 7, 2005
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, U. S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

11/10/2005 MWOLDGE1 00000058 130005 10631191

01 FC:1401 500.00 DA

12/19/2005 SFELEKE1 00000006 130005 10631191

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Adjustment date: 12/19/2005 SFELEKE1 10631191
11/10/2005 MWOLDGE1 00000058 130005
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